

02-17-05

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PATENT  
10/669,108

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	DAUGHERTY, Roger	)	Docket No:	21590-CIP
		)		
Serial No.:	10/669,108	)	Examiner:	Patel, Nihir B.
		)		
Filed:	September 23, 2003	)	Group Art:	3743
		)		
For:	<b>APPARATUS AND METHOD FOR HUMIDIFICATION OF INSPIRED GASES</b>			

**PETITION TO CORRECT INVENTORSHIP**  
**PURSUANT TO 37 C.F.R 1.48(a) & 35 U.S.C. 116**

February 16, 2005

MS: Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Please consider the remarks presented hereinbelow in support of Applicant's 37 C.F.R.

1.48(a) Petition to Correct Inventorship.

Please further find enclosed a check for the processing fee set forth in 37 C.F.R. 1.17(i).

**CERTIFICATE OF EXPRESS MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service Express Mail with sufficient postage in an envelope addressed to: MS: Petitions, Commissioner For Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on:

02/18/2005 AWONDAF1 00000067 10669108

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02/18/2005 AWONDAF1 00000068 10669108

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130.00 OP

2-16-05  
(Date)  
Cynthia Pilato  
(Name of Person Mailing)  
Cynthia Pilato  
(Signature of Person Mailing)  
2-16-05  
(Date)

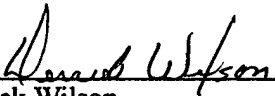
**REMARKS**

Pursuant to 37 C.F.R. 1.48(a) and 35 U.S.C. 116, Correction of Inventorship, Applicant respectfully requests, and amends the application, as follows:

- (1) Please correct the inventorship of the application to add the following inventor:

Derrick Wilson  
273 Stovall Road  
LaGrange, Georgia 30241

- (2) I, Derrick Wilson, by my dated signature set forth hereinbelow, do hereby declare, assert, and otherwise swear, that the error in inventorship occurred without deceptive intent on my part.

  
\_\_\_\_\_  
Derrick Wilson

1/11/2005  
\_\_\_\_\_  
Date

- (3) Pursuant to 37 C.F.R. 1.63, please find enclosed a properly executed declaration containing the signatures of the inventors: Roger Daugherty and Derrick Wilson.
- (4) Please further find enclosed a check for the processing fee set forth in 37 C.F.R. 1.17(i).

## CONCLUSION

Applicant respectfully believes that the above-made amendments comply with 37 C.F.R. 1.48(a) and 35 U.S.C. 116. Should there be any questions or concerns, the Examiner is invited to telephone Applicant's undersigned attorney.

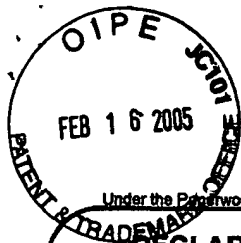
Respectfully submitted this 16<sup>th</sup> day of February, 2005.



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PTO/SB/01 (09-04)

Approved for use through 07/31/2008. OMB 0851-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**DECLARATION FOR UTILITY OR  
DESIGN  
PATENT APPLICATION  
(37 CFR 1.63)**☐Declaration  
Submitted  
With Initial  
Filing

OR

☒Declaration  
Submitted after Initial  
Filing (surcharge  
(37 CFR 1.16 (e))  
required)Attorney Docket  
Number

21590-CIP

First Named Inventor

Daugherty et al.

**COMPLETE IF KNOWN**

Application Number

10/669,108

Filing Date

September 23, 2003

Art Unit

3743

Examiner Name

Patel, Nihir B.

**I hereby declare that:**

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**Apparatus and Method for Humidification of Inspired Gases***(Title of the Invention)*

the specification of which

☐

is attached hereto

OR

☒

was filed on (MM/DD/YYYY)

09/23/2003

as United States Application Number or PCT International

Application Number

10/669,108

and was amended on (MM/DD/YYYY)

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

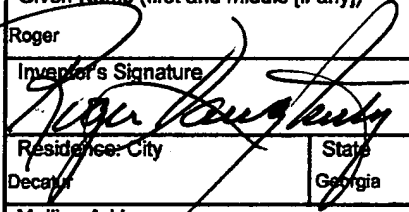

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**DECLARATION — Utility or Design Patent Application**

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City		State	ZIP	
Country	Telephone		Fax	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.				
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle (if any))		Family Name or Surname		
Roger		Daugherty		
Inventor's Signature				Date
				1/15/05
Residence: City	State	Country	Citizenship	
Decatur	Georgia	USA	USA	
Mailing Address				
1085 Druid Lake				
City	State	Zip	Country	
Decatur	Georgia	30033	USA	
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle (if any))		Family Name or Surname		
Derrick		Wilson		
Inventor's Signature				Date
				1/11/2005
Residence: City	State	Country	Citizenship	
LaGrange	Georgia	USA	USA	
Mailing Address				
273 Stovall Road				
City	State	Zip	Country	
LaGrange	Georgia	30241	USA	
<input type="checkbox"/> Additional inventors or a legal representative are being named on the supplemental sheet(s) PTO/SB/02A or 02LR attached hereto.				